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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

LUTHER J. ... CLERK
By: *J. F. ...* Deputy Clerk

LARRY WHISTLER
a/k/a LARRY ZBYSZKO
a/k/a/ THE LIVING LEGEND,
an individual

Plaintiff,

vs.

WORLD WRESTLING
ENTERTAINMENT, INC., a Delaware
corporation,

Defendant.

Civil Action No.: 1 02- CV-1008-CC

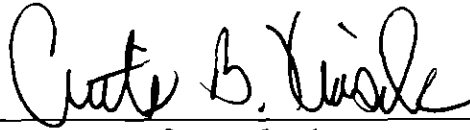
**MOTION FOR SUMMARY JUDGMENT BY
WORLD WRESTLING ENTERTAINMENT, INC.**

Pursuant to Fed.R.Civ.P. 56 and Local Rule 56.1, World Wrestling Entertainment, Inc. ("WWE"), hereby moves for an order granting summary judgment (the "Motion") on all claims asserted by Plaintiff Larry Whistler ("Whistler") in this action. As grounds for this Motion, WWE demonstrates that there exists no genuine issue of material fact to be tried and WWE is entitled to judgment as a matter of law on all claims. In support of this Motion, WWE relies upon the following:

1. Memorandum Of Law In Support Of Motion For Summary Judgment On Trademark-Related Issues, filed concurrently herewith;
2. Memorandum Of Law In Support Of Motion For Summary Judgment On The Basis Of Judicial Estoppel, filed concurrently herewith;
3. Statement Of Undisputed Material Facts, filed concurrently herewith;
4. Appendix In Support Of Motion For Summary Judgment, filed concurrently herewith;
5. Notice of Filing Of Affidavits Of Linda E. McMahon and Edward L. Kaufman, filed concurrently herewith;
6. Notice Of Filing Of Expert Report Of Professor David M. Yerkes and Appendix in support thereof, filed concurrently herewith;
7. Notice Of Filing Certified Copy Of Whistler's Chapter 13 Bankruptcy, filed concurrently herewith;
8. Notice Of Filing Certified Copy Of Whistler's Chapter 7 Bankruptcy, filed concurrently herewith;
9. All pleadings of record.

WHEREFORE, WWE respectfully requests that this Honorable Court grant WWE's Motion for Summary Judgment in its entirety and enter an Order dismissing all claims in this action.

Respectfully submitted,



Attorneys for Defendant
World Wrestling Entertainment, Inc.

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CERTIFICATION

Pursuant to Local Rule 7.1D, counsel for Defendant hereby certify that this document has been prepared with Times New Roman font (14 point).

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LARRY WHISTLER)	
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Plaintiff,)	Civil Action No.: 1 02- CV-1008-CC
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vs.)	
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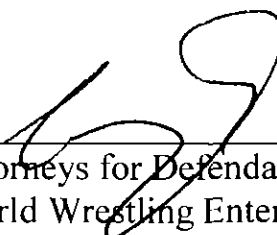
CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of February, 2004, I served opposing counsel with **Defendant's Motion for Summary Judgment** by hand delivery to the following address:

Joel D. Myers, Esquire
Myers & Kaplan Intellectual Property Law, LLC
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[SIGNATURES ON FOLLOWING PAGE]

Respectfully submitted,



Attorneys for Defendant
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